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SEP 16 2005

FENWICK & WEST LLP

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FACSIMILE TRANSMISSION

CONFIDENTIAL

DATE:

September 16, 2005

CLIENT-MATTER NUMBER: 22930-06082

Tat

10:		
Name:	Fax No.:	PHONE NO.:
Examiner Robert Pond	571-273-8300	571-272-6760
Group Art Unit 3625	·	l l
Commissioner for Patents	<u> </u>	

FROM:

Colleen Chien

PHONE:

(415) 875-2319

RE:

Supplemental IDS

NUMBER OF PAGES WITH COVER PAGE:

MESSAGE:

Information Disclosure Statement

Applicants:

Richard V. Halbert et al.

App. No.:

09/677,095

Filing Date:

September 29, 2000

Title:

DYNAMIC MARKET EQUILIBRIUM MANGEMENT SYSTEN

Atty. Dkt. No. 22930-06082

CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR ITS DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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22930/0608Z/SF/5151311.1



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roup Art Unit 3625		371-272-0700
Commissioner for Patents	<u>.</u>	

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> > 22930/06082/SF/5151311.1

SEP 16 2005

EEE TRANSMITT		7 2003			
FEE TRANSMITTA	۸L	Application Nu		mplete if Known	
		Filing Date		9/677,095	
for FY 2005				eptember 29, 2000	
Patent fees are subject to annual revision	1	First Named In		ichard V. Halbert, et al.	
Applicant claims small entity status. See 37 CFR 1	1.27	Examiner Nam		obert Pond	
Towns Associated as		Art Unit		25	
		Attorney Docke	et No. 22	930-06082	
METHOD OF PAYMENT (check all that apply)			FEE CALCUI A	ATION (continued)	
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None ☐ Deposit Account:	3. ADDITIO	NAL FEES		(Continued)	
Deposit Account Number 19-2555 Deposit Account Name	Large Entity_	Small Entity		Fee Description	
Fenwick & West LLP	Fec Fco	foe Fee			Fee Paid
The Commissioner is authorized to: (check all that apply)	Code (\$)	Code (\$)			
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Kindige all required fee(s) or any undergoyment of the (s) the			Surcharge - late	provisional filing fee or cover sheet	
whose 57 OFR \$1.10 or \$1.17 during the pendency of this		1000	Non-English spe	cification	
	1812 2,520	1812 2,520	For filing a reque	est for ex parte reexamination	
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. 	1804 920	1804 920-		ication of SIR prior to Examiner action	<u> </u>
	1805 1,840	1805 1,840*	Requesting publi	ication of SIR after Examiner action	<u> </u>
FEE CALCULATION	1251 120	2251 60	Extension for re-	ly within first month	├ -
1. BASIC FILING FEE	1252 450	2252 225		ly within second month	├ ──
Large Entity Small Entity	1253 1020	2253 510	Extension for ren	ly within third month	
ree Discription Fee Paid	1254 1,590	2254 795	Extension for real	ly within fourth month	
Code (\$) Code (\$)	1255 2,160	2255 1,080	Extension for real	ly within fifth month]
	1401 500	2401 250	Notice of Appeal	y wasan mar njohat	[
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	1403 1000	2403 \$00	Request for oral n	nearing	
	1451 1,510	1451 1,510	Petition to institute	a public use proceeding	
SUBTOTAL (1) (\$)	1452 500	2452 250	Petition to revive -	- unavoidable	-
	1453 1,500	2453 750	Petition to revive -		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501 1.400	2501 700		ľ	
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Total Claims -20**s x			Design issue fee	Ţ	
Independent		2503 550	Plant issue fee	Γ	
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mulitiple dependent daim, if not paid	1801 790	2801 395	Request for Continu	ued Examination (RCE)	 [
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and over original patent	Other fee (specify	/)			
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SUBTOTAL (2) (\$)				<u></u>	
"Or number emode atty paid. If any party is a	Reduced by Basic	Filing Foo Date		SUBTOTAL (3) (\$) 180.00	
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SUBMITTED BY					
Name (PrintType) Colleen V. Chien	Registra	etion No.		Complete (If applicable)	
		MAgent) 55,0	62	Telephone 415-875-231	9 —
Signature			Date		
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				September 16, 200	₅

RECEIVED CENTRAL FAX CENTER 1350

T-144 P.002/007 F-999

SEP 16 2005

	•	Complete if Known
FEE TRANSMITTA	Application Number	09/677,095
LFF HOUSENESS	Filing Date	September 29, 2000
for FY 2005	First Named Inventor	Richard V. Halbert, et al.
. •	Examiner Name	Robert Pond
Patent fees are subject to annual revision. Applicant claims small entity status. See 37 CFR	1.27 Art Unit	3625
	Alleger Decket No.	22930-06082
TOTAL AMOUNT OF PAYMENT (\$) 180.00	Attorney Docket No.	22300-0000

						EF	E CALCULATION (continued)	
	MENT (check all that a						L OALGODATION (ALLEGA)	
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None ☐ Deposit Account:				DITIONA			E. Basadaina	.
Deposit Account Numb	er 19-2555]	Large E	intity	Small E		Fee Description	Fee Paid
Deposit Account Name	Fenwick & Wes	t LLP	Fee Code	Fee (\$)	Fee Code	Fe¢ (\$)		
- 0iii	authorized to: (check all t		1051	130	2051	65	Surcharge - late filing fee or dath or declaration	
Charge fee(s) indic	zted below 🛛 Credit any o	verpayments	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
M Crome all regulate	fee(s) or any underpaymen	t of fee(s) due	1053	130	1053	130	Non-English specification	
under 37 CFR §1.1	16 or §1.17 during the pende	ency of this	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	<u></u>
Charce fee(s) indic	sated below, except for the	filing fee to	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action Requesting publication of SIR after Examiner action	¹
the above-identifie	d deposit account	· · · · ·	1805	1,840*		1,840*	Extension for reply within first month	
	E CALCULATION		1251	120	2251	60 225	Extension for reply within second month	
1. BASIC FILING		•	1252 1253	450 1020	2252	225 510	Extension for reply within third month	
Large Entity Small E		Fce Paid	1253	1,590	2254	795	Extension for raply within fourth month	
Fee Foe Fee F		tić Lam	1255	2,160	2255	1,080	Extension for reply within fifth month	
Code (\$) Code (\$)		1401	500	2401	250	Notice of Appeal	
1			1402	500	2402	250	Filing a brief in support of an appeal	— —
1			1403	1000	2403	500	Request for oral hearing	
	•		1451	1,510	1451	1,510	Petition to Institute a public use proceeding Petition to revive - unavoidable	
1	(<u>(</u>	_!	1452	500	2452	250		
	IBTOTAL (1) (\$)		1453	1,500	2453	750	Petition to revive - unintentional	-
2. EXTRA CLAIM	FEES FOR UTILITY AN	ID REISSUE	1501	1,400	2501	700	Utility issue fee (or roissue)	
	Extra Claims Fee from below	Foo Paid	1502	800	2502	400	Design issue fee	
Total Claims	-20"'s X		1503	1100	2503	550	Plant issue fee	_
Independent Claims	-3 X	s	1460		1460	_	Patitions to the Director	
Multiple Dependent		=	1807	50	1807	50	Processing fee for Provisional Applications	180
Large Entity Small Er	ıtity		1806	180	1808		Submission of Information Disclosure Stmt	100
Fee Fee Fee F	e Fee Description		8021	40	8021	40	Recording each patent assignment per properly (times number of properties)	
	\$) Claims in excess of	20	1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1201 200 2201 10	00 Independent daims	in excess of 3	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	<u> </u>
1203 350 2203 1	80 Multiple dependent	claim, if not paid	1801	790	2801		Request for Continued Examination (RCE)	-
	OO Reissue independent original patent		1802	900	1802	2 900	Request for expedited examination of a design application	-
1205 50 2205	25 **Reissue claims ir and over original		Othe	r fee (spac	cify)			
' _							SUBTOTAL (3) (\$) 18	0.00
SUBTOTAL (2) (S) -or runnber previously polid, if greater, For Reissues, see above Reduced by Basic Filing Fee Paid								
SUBMITTED BY Complete (if applicable)								
Name (Print/Type) Colleen V. Chien Registration No. (Attorney/Agent) 55,062 Telephone 415-875-2319								
Ci-obser		<u>~</u>			_		Date	
Signoture		Ch	25	n/	-		September 1	6, 2005
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

RICHARD HALBERT, ET AL.

ŘECEIVED **CENTRAL FAX CENTER**

APPLICATION NO.:

09/677,095

SEP 16 2005

FILING DATE:

September 29, 2000

TITLE:

Dynamic Market Equilibrium Management System, Process And

Article Of Manufacture

EXAMINER:

Robert Pond

GROUP ART UNIT:

3625

ATTY. DKT. NO.:

22930-06082

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at 1-571-273-8300.

Dated: September 16,2805

By:

Colleen V. Chien, Reg. No.: 55,062

MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the metits, whichever event last occurred;

09/20/2005 HAHNED1 -00000115-192555-

-180-00-08 01-FC:1806

22930/06082/\$F/5151310.1

PAGE 3/7 * RCVD AT 9/16/2005 9:03:00 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/25 * DNIS:2738300 * CSID:4152811350 * DURATION (mm-ss):01-52

09677095

(') 09/20/2005 MAHNED1 00000116 192555 180.00 DA

PATENT

	to the knowledge of the person signing this certification after
	making reasonable inquiry, no item of information contained
	in this Statement was known to any individual designated
	under 37 CFR § 1.56(c) more than three months prior to the
	ining of this Statement; AND
	attached hereto is the fee set forth under 37 CFR \$1.17(p) for
	submission of this Information Disclosure Statement under 37 CFR.§
	1.97(d); OK
	after the payment of the issue fee. Applicant requests that the information
	contained in this miormation Disclosure Statement be placed in the file
	according to 37 CFR § 1.97(i), although the information may not be
_	considered by the USPTO.
	Enclosed is a copy of each listed reference that may be material to the examination of
_	and application, and for which there may be a duty to disclose
Ш	This application relies, under 35 U.S.C. § 120, on the earlier filing data at
	and the references cited therein on head
	referenced, but are not required to be provided in this application under 37 CFR 8
_	1.76(u).
Ц	This application was filed after June 30, 2003. Therefore, pursuant to the waiver of
	the requirements under 37 CFR 1.98(a)(2)(i), copies of each IIS. Patent and each
	o.s. I ment Application Publication are not required to be submitted. Conject of any
_	roreign patent documents and non-patent literature cited herein are enclosed
	Each item of information contained in this Information Disclosure Statement was
	cher in a communication from a foreign patent office in a counterpart application
	and the communication was not received by any individual designated in 37 CED s
	1.30(c) more than thirty days prior to the filing of this Information Disclosure
	Statement. 37 CFR § 1.704(d).
	Applicant submits that no fee is required for the consideration of this Information
	Disclosure Statement

Consideration of the listed references and favorable action are solicited.

PATENT

Respectfully submitted, RICHARD HALBERT, ET. AL.

By:

Colleen V. Chicn, Reg. No.: 55,062

Fenwick & West LLP Embarcadero Center West 275 Battery Street

San Francisco, CA 94111 Tel.: (415) 875-2319

Fax.: (415) 281-1350

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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO					
	Complete if Known				
INFORMATION DISCLOSURE	Application No.	09/677,095			
STATEMENT BY APPLICANT	Filing Date	September 29, 2000			
	First Named Inventor	Richard V. Halbert, et al.			
	Art Unit	3625			
Sheet 1 of	Examiner Name	Robert Pond			
of 1	Attorney Docket Number	22930-06082			

		<u> </u>	U.S. PAT	ENT DOCUMENTS
		Document No.		
Examiner Initials*	Cite No.1	Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or
		U\$-096049774	04-2000	Applicant of Cited Document Roy
		U\$-5,377,095	12-1994	Maeda et al.
		US-5,873,069	02-1899	Reuhl et al.
		US-5,999,914	12-1999	Blinn et al.
		US-6,085,169	07-2000	Walker et al.
		US-6,101,484	08-2000	Halbert et al.
		US-5,141,653	10-2000	Conklin et al.
		US-6,141,656	10-2000	Tobin
		US-6,280,024	07-2001	Shkedy, Gary
		US-6,324,522 B2	11-2001	Peterson, et al.
		US-6,418,415	07-2002	Walker et al.
		US-8,473,740	10-2002	Cockfill et al.
		US-6,516,302	02-2003	Ocaton et al.
:		US-6,631,356	10-2003	Van Horn et al.

			FOREIGN PATENT	DOCUMENTS	
	-	Foreign Patent Document			
Examiner Initials*	Cite No.1	Country Code ³ – Number ⁴ Kind Code ⁵ (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T⁰

		· ————————————————————————————————————		
	Examiner Cite	OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magezine, journal, serial, symposium, catalog, etc.), date, page(s), volume, issue number(s), and item of the item (book, magezine,		1
	initials* No.1	journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where	T ⁰	1
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	Date Considered	
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[&]quot;EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-lettor code (MPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document, ³Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁴Applicant is to place a check mark here if English tanguage Translation is attached.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED CENTRAL FAX CENTER

APPLICANT:

RICHARD, HALBERT, ET AL.

SEP 16 2005

APPLICATION NO.:

09/677,095

FILING DATE:

September 29, 2000

TITLE:

Dynamic Market Equilibrium Management System, Process And

Article Of Manufacture

EXAMINER:

Robert Pond

GROUP ART UNIT:

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By:

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This Information Disclosure Statement is being filed:

	within three months of the filing date of the application, or date of entry into
<u>. </u>	the national stage of an international application, or before the mailing date of
	a first office action on the merits, whichever event last occurred;

			PATENT				
_		.4 49	ing of a first official action after the filing of a request for				
	before	the man	ing of a first official action area are many as a set of				
	continu	ied exan	nination (RCE) under 37 CFR § 1.114;				
\boxtimes	after three months of the filing date of this national application or the date of						
	entry of the national stage in an international application, or after the mailing						
	date of	the first	t official action on the merits, whichever event last occurred, but				
	before	the mail	ling date of the first to occur of either: (1) a final action under				
	37 CFR §1.113; or (2) an action that otherwise closes prosecution in the						
	applica	ation, an	d:				
	\boxtimes	attached hereto is the fee set forth under 37 CFR §1.17(p) for					
		submi	ission of this Information Disclosure Statement under 37 CFR.§				
			e); OR				
		Appli	cant certifies pursuant to 37 CFR § 1.97(e) that:				
			each item of information contained in this Information				
			Disclosure Statement was first cited in a communication from				
			a foreign patent office in a counterpart foreign application not				
			more than three months prior to the filing of this Statement;				
			OR ·				
			no item of information contained in this Information				
			Disclosure Statement was cited in a communication from a				
		•	foreign patent office in a counterpart foreign application and,				
			to the knowledge of the person signing this certification after				
			making reasonable inquiry, no item of information contained				
			in this Statement was known to any individual designated				
		•	under 37 CFR § 1.56(c) more than three months prior to the				
			filing of this Statement;				
	on c	r before	the payment of the issue fee but after the mailing date of the first				
	to o	ccur of	either: (1) a final action under 37 CFR § 1.113; (2) a notice of				
	allo	wance u	nder 37 CFR § 1.311; or (3) an action that otherwise closes				
			in the application, and:				
		Арр	licant certifies pursuant to 37 CFR. § 1.97(e) that:				
			each item of information contained in this Information				
•		_	Disclosure Statement was cited in a communication from a				
			foreign natent office in a counterpart foreign application not				

more than three months prior to the filing of this Statement;

Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and,

no item of information contained in this Information

PATENT

to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the

	filing of this Statement; AND
	attached hereto is the fee set forth under 37 CFR §1.17(p) for
	submission of this Information Disclosure Statement under 37 CFR.§
•	1.97(d); OR
	after the payment of the issue fee. Applicant requests that the information
	contained in this Information Disclosure Statement be placed in the file
	according to 37 CFR § 1.97(i), although the information may not be
	considered by the USPTO.
	Enclosed is a copy of each listed reference that may be material to the examination of
_	this application, and for which there may be a duty to disclose.
	This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior
_	application No, filed on, and the references cited therein are hereby
	referenced, but are not required to be provided in this application under 37 CFR §
	1.98(d).
	This application was filed after June 30, 2003. Therefore, pursuant to the waiver of
	the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each
	U.S. Patent Application Publication are not required to be submitted. Copies of any
	foreign patent documents and non-patent literature cited herein are enclosed.
	Each item of information contained in this Information Disclosure Statement was
	cited in a communication from a foreign patent office in a counterpart application,
	and the communication was not received by any individual designated in 37 CFR §
	1.56(c) more than thirty days prior to the filing of this Information Disclosure
	Statement. 37 CFR § 1.704(d).
	Applicant submits that no fee is required for the consideration of this Information
	Disclosure Statement

PATENT

Consideration of the listed references and favorable action are solicited.

Respectfully submitted, RICHARD HALBERT, ET. AL.

Colleen V. Chien, Reg. No.: 55,062

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Substitute for form 1449A/PTO NFORMATION DISCLOSURE STATEMENT BY APPLICANT			3	Complete if Known		
			00UDT	Application No.	09/677,095	
				Filing Date	September 29, 2000	
			LICANT	First Named Inventor	Richard V. Halbert, et al.	
				Art Unit	3625	
				Examiner Name	Robert Pond	
et	1	of	1	Attorney Docket Number	22930-06082	

			Ų.S. PATI	ENT DOCUMENTS
]	Document No.		
Examiner Initials*	Cite No.1	Number – Kind Code ² (If known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-098049774	04-2000	Roy
		US-5,377,095	12-1994	Maeda et al.
		U\$-5,873,089	02-1999	Rouhl et al.
		US-5,989.914	12-1999	Blinn et al.
-		US-6,085,169	07-2000	Walker et al.
-	 	US-6.101,484	08-2000	Halbert et al.
	ļ —	US-6,141,653	10-2000	Conklin et al.
	<u> </u>	U\$-5,141,668	10-2000	Tobin
	- 	US-6,260,024	07-2001	Shkedy, Gary
		US-8,324,522 B2	11-2001	Peterson, et al.
		US-6,418,415	07-2002	Walker et al.
	 	U\$-6,473,740	10-2002	Cockrill et al.
	1	US-8,515,302	02-2003	Deaton et al.
	\top	US-6,631,356	10-2003	Van Hom et al.

			FOREIGN PATENT	DOCUMENTS	
	[Foreign Patent Document			76
Examiner Initials	Cite No.1	Country Code ⁵ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T
	†				

Ì		OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.), date, page(s), volume-Issue number(s), publisher, city and/or country where published	T°
			L

Examiner Signature	Date Considered	
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